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United Nations

Commission on Crime Prevention and Criminal Justice

Report on the reconvened twenty-second session (12-13 December 2013)

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Official Records, 2013
Supplement No. 10A

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Note

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Chapter I

Matters calling for action by the Economic and Social Council or brought to its attention

A. Draft decision for adoption by the Economic and Social Council

1. The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the adoption of the following draft decision:

Draft decision

Report of the Commission on Crime Prevention and Criminal Justice on its reconvened twenty-second session

The Economic and Social Council takes note of the report of the Commission on Crime Prevention and Criminal Justice on its reconvened twenty-second session.

B. Matters brought to the attention of the Economic and Social Council

2. The following resolution, adopted by the Commission on Crime Prevention and Criminal Justice at its reconvened twenty-second session, is brought to the attention of the Economic and Social Council:

Resolution 22/9

Budget for the biennium 2014-2015 for the United Nations Crime Prevention and Criminal Justice Fund

The Commission on Crime Prevention and Criminal Justice,

Exercising the administrative and financial functions entrusted to it by the General Assembly in its resolution 61/252 of 22 December 2006,

Having considered the report of the Executive Director of the United Nations Office on Drugs and Crime containing the proposed budget for the biennium 2014-2015 for the United Nations Crime Prevention and Criminal Justice Fund[1] and the related recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[2]

Recognizing the normative functions of the Office as part of the Secretariat of the United Nations and stressing the importance of technical assistance, within the mandate of the Office, provided to Member States upon their request and, for these purposes, the importance of adequate, predictable and stable funding,

[1] E/CN.7/2013/15-E/CN.15/2013/28.
[2] E/CN.7/2013/16-E/CN.15/2013/29.

Highlighting the Executive Director's plans to pursue the transition to the new funding model based on identified priorities in a manner and at a pace that will be realistic and balanced vis-à-vis the expectations and requirements of Member States,

Noting the significant implications that implementation of the full cost recovery funding model will have, in particular for technical cooperation and the Office's network of field offices, including the possibility of unintended consequences,

Noting also the plans of the Office to monitor the situation and to keep Member States regularly and fully informed and coordinate with them on progress and the impact of the implementation of the new model through the Commission and existing mechanisms, including the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime,

Taking note of the importance of field operations, as reflected in the report of the Executive Director on the consolidated budget, and of the reference in paragraph 35 of that report to Economic and Social Council resolution 2009/23 of 30 July 2009, in which the Council requested the Executive Director to give high priority to the implementation of the regional programmes of the Office and to report on progress made,

Aware of the need to continue promoting regular dialogue between all Member States as well as with the Office on the planning and formulation of the operational activities of the Office, including its programmes and projects,

1. *Notes* the progress made in the development of the thematic and regional programme approach, in consultation with Member States, to the programme of work of the United Nations Office on Drugs and Crime and in ensuring the full complementarity of the thematic and regional programmes;

2. *Also notes* that the budget is based, inter alia, on the strategy detailed under programme 13 of the strategic framework for the period 2014-2015[3] and on the strategy of the Office for the period 2012-2015;

3. *Further notes* that the budget is harmonized with sections 16 and 29G of the proposed programme budget of the United Nations for the biennium 2014-2015;[4]

4. *Notes* that the budget focuses on general-purpose funds and also includes special-purpose funds and programme support cost income earned on special-purpose contributions, as well as regular budget resources;

5. *Also notes* that a new funding model would not automatically apply to existing funding agreements with the Office unless otherwise agreed;

6. *Further notes* that a new funding model should, inter alia, not hinder the field operations and headquarters activities of the Office or affect their delivery;

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[3] *Official Records of the General Assembly, Sixty-seventh Session, Supplement No. 6* (A/67/6/Rev.1).

[4] A/68/6 (Sect. 16) and (Sect. 29G).

7. *Notes* that the general-purpose resources of the Fund of the United Nations International Drug Control Programme and the United Nations Crime Prevention and Criminal Justice Fund are presented as a single budget and that general-purpose expenditure will be apportioned between the two Funds in accordance with the income that each generates;

8. *Also notes* that the programme support cost resources of the Fund of the United Nations International Drug Control Programme and the United Nations Crime Prevention and Criminal Justice Fund are presented as a single budget and that programme support cost expenditure will be apportioned between the two Funds in accordance with the income that each generates;

9. *Approves*, taking into account the provisions of the present resolution, the projected use of general-purpose funds in the consolidated budget for the biennium 2014-2015, and invites Member States to provide contributions totalling at least 4,684,800 United States dollars;

10. *Endorses*, taking into account the provisions of the present resolution, the programme support cost funds and special-purpose estimates in the consolidated budget for the biennium 2014-2015, as indicated below;

Resource projections for the United Nations Crime Prevention and Criminal Justice Fund

	Resources (thousands of United States dollars)		*Posts*	
Category	*2012-2013*	*2014-2015*	*2012-2013*	*2014-2015*
General-purpose funds				
Post	8 338.0	4 417.9	24	13
Non-post	292.7	266.9	–	–
Subtotal	**8 630.7**	**4 684.8**	**24**	**13**
Programme support cost funds				
Post	16 397.0	19 091.6	76	81
Non-post	4 136.4	3 739.3	–	–
Subtotal	**20 533.4**	**22 830.9**	**76**	**81**
Special-purpose funds	**230 395.9**	**281 142.7**	**164**	**178**
Total	**259 560.0**	**308 658.4**	**264**	**272**

11. *Notes* that the resource projections estimated above are subject to the availability of funding as well as to potential adjustments that may be required, under the guidance of the Commission, by relevant factors in the consolidated budget, including those described in paragraphs 21-23 of document E/CN.7/2013/15-E/CN.15/2013/28;

12. *Requests* the Office to brief and provide information to Member States as well as other partners on the percentage of voluntary contributions allocated to the support or delivery costs of programming and the percentage of these funds spent on delivering technical assistance;

13. *Stresses* that the provisional implementation of a new funding model in the biennium 2014-2015 will need to be reviewed by the Commission to assess its effectiveness and further feasibility;

14. *Notes* the need for consistent application of a new funding model to all programmes and activities of the Office funded by voluntary contributions;

15. *Remains fully committed* to increasing the effectiveness and results of the technical assistance programmes of the Office and of their delivery and reaffirms the need to engage in thorough consultations among relevant actors, including the recipient countries, ahead of any possible changes to the field presence of the Office;

16. *Requests* the Secretariat, periodically and on a continuing basis, to brief and coordinate with Member States through existing mechanisms, inter alia, on the following:

(a) Any projected adaptation of the field offices and of headquarters operations that may arise from the implementation of the new funding model;

(b) Details of the implementation of the funding model of the Office with respect to field and headquarters operations, including but not limited to the special-purpose funds for posts shown in paragraph 10 above, including in briefings prior to the twenty-third session and the reconvened twenty-third session, to be held in 2014;

17. *Requests* the Office to provide information on the implementation of the funding model and its impact on the work of the Office including, but not limited to, its ability to deliver technical assistance to Member States upon their request, and on any impact on the voluntary contributions shown in the report of the Executive Director on the consolidated budget for the biennium 2014-2015 for the United Nations Office on Drugs and Crime;[5]

18. *Also requests* the Office to strengthen its efforts to further encourage donors to provide general-purpose funding, including by means of further increasing transparency and quality of reporting, and invites Member States and other donors to consider providing support to the general-purpose funds of the Office;

19. *Requests* that the financial statements of the Office on draft resolutions presented to the Commission at its twenty-third and twenty-fourth sessions, as well as in other routine budget documents and briefings of the Office, describe how projected expenditure will affect the use of regular budget resources and extrabudgetary resources.

[5] E/CN.7/2013/15-E/CN.15/2013/28.

Chapter II

Strategic management, budgetary and administrative questions

3. At the 1st and 2nd meetings of the Commission on Crime Prevention and Criminal Justice held jointly with the Commission on Narcotic Drugs on 12 and 13 December 2013, the Commission on Crime Prevention and Criminal Justice considered agenda item 3, which read as follows:

"Strategic management, budgetary and administrative questions:

(a) Work of the working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime;

(b) Directives on policy and budgetary issues for the United Nations crime prevention and criminal justice programme."

4. For its consideration of agenda item 3, the Commission had before it the following documents:

(a) Report of the Executive Director on the consolidated budget for the biennium 2014-2015 for the United Nations Office on Drugs and Crime (E/CN.7/2013/15-E/CN.15/2013/28);

(b) Report of the Advisory Committee on Administrative and Budgetary Questions on the consolidated budget for the biennium 2014-2015 for the United Nations Office on Drugs and Crime (E/CN.7/2013/16-E/CN.15/2013/29);

(c) Note by the Secretariat on the work of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime (E/CN.7/2013/7/Add.2-E/CN.15/2013/7/Add.2).

5. At the 1st meeting, the Director of the Division for Operations of the United Nations Office on Drugs and Crime (UNODC), the Chief of the Financial Resources Management Service and the representative of the Islamic Republic of Iran, in his capacity of co-chair of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime, made statements.

6. Statements were also made by the representatives of the United States of America, Japan, the Russian Federation, Pakistan, the United Kingdom of Great Britain and Northern Ireland, the Islamic Republic of Iran and Brazil and by the observers for Canada, the Netherlands, Sweden and Nicaragua.

A. Deliberations

7. Speakers welcomed and expressed appreciation for the work of the standing open-ended intergovernmental working group on improving the governance and financial situation of UNODC. Several speakers suggested that the working group should become a permanent subsidiary body of the Commissions while others were in favour of extending its mandate periodically, in line with the current practice.

8. Speakers expressed views and concerns about the financial situation of UNODC, which some speakers related to severe constraints on national budgets, and took note of the report of the Executive Director on the consolidated budget for the biennium 2014-2015 for UNODC, which introduced a funding model and a focus on full cost recovery. It was acknowledged by several speakers that the report presented a realistic budget and that the gradual implementation of the funding model would allow stakeholders and UNODC to understand the changes in parameters and approach. It was noted that the adapted funding model could address the recurring funding problems of the Office and that it would eliminate cross-subsidization between funds and improve the imbalanced situation of general-purpose and special-purpose funding. The establishment of a senior-level management team reporting to the Executive Director that would monitor closely and report periodically on progress made in the implementation of the funding model was welcomed.

9. A number of speakers questioned the impact of the funding model and full cost recovery on the sustainability of UNODC technical assistance delivery and field office operations. It was suggested that the funding model should not be endorsed unconditionally; rather its implementation should continue to be monitored and reviewed by UNODC in close consultation with Member States. Some speakers requested the opportunity to review the implementation of full cost recovery and the impact on technical assistance delivery and on UNODC programmes and projects. It was stressed that the implementation of the funding model should not reduce the scope and location of UNODC programmes and field offices or result in a shift of resources from field offices to headquarters. It was also stressed that, with respect to special-purpose funds, the funding model should not result in double-taxation on donors who also contributed to general-purpose funds.

10. A representative of the Secretariat clarified that the full cost recovery model did not imply a reduction in resources available to the field but a shift from general-purpose funds and programme support cost funds to special-purpose funds, so as to realign the use of the funds in accordance with the policies of the United Nations Secretariat.

11. Several speakers indicated that the key criteria set by Member States to support the funding model included delivery, measurable results, cost-effectiveness, transparency and sustainability. Other important points raised on the funding model and full cost recovery included the need to collect the information that would facilitate the review of the impact of full cost recovery; the need to clarify the portion of voluntary contributions allocated to the support and delivery costs of programming compared with the portion allocated to substantive work and technical assistance delivery; the need for continued dialogue with Member States to keep them informed on and involved in the sustainability of UNODC offices and programmes; the need to clarify the distinction between full cost recovery and programme support cost funds; the need to keep overhead costs to a minimum; and the need to review the impact of the funding model on the fund balances of the Fund of the United Nations International Drug Control Programme and the United Nations Crime Prevention and Criminal Justice Fund.

12. One speaker welcomed the additional information provided on the use of general-purpose and programme support cost funds, but also expressed concern about the additional programme support cost resources requested in the budget for

the local implementation of International Public Sector Accounting Standards and Umoja and requested UNODC to continue to provide donors with information on the implementation and use of those funds. It was noted that the growth of special-purpose voluntary contributions to UNODC was a sign of donor confidence and that UNODC had moved in the right strategic direction with the integrated programme approach and the full cost recovery funding model. Reference was made to the quality of reporting as an incentive for donors to provide more soft-earmarked contributions.

13. Several speakers requested clarification on other issues of the consolidated budget concerning aspects such as the geographical distribution and gender balance of UNODC staff; the additional number of posts included in the budget; some expert groups convened under the auspices of the Terrorism Prevention Branch; an overview of expenditure grouped by nature; and a summary of donor contributions. One speaker, expressing reservations about the creation of new posts through general-purpose funds under the section of the budget entitled "Executive direction and management", requested the Secretariat to provide further clarification on possible risks in the event that those posts were not created.

14. Other issues raised by several speakers included the request for UNODC to give high priority to the implementation of the regional programmes and to report on progress made, and the request to increase the role of recipient countries in UNODC programme formulation.

B. Action taken by the Commission

15. At its 1st meeting, on 12 December 2013, the Commission took note of the extension by the Economic and Social Council in its decision 2013/246 of the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime until the part of the sessions of the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice to be held in the first half of 2015, and elected Reza Najafi (Islamic Republic of Iran) and Ignacio Baylina Ruíz (Spain) as co-chairs of the working group, in accordance with the procedure set out in Commission on Narcotic Drugs resolution 52/13, annex, and Commission on Crime Prevention and Criminal Justice resolution 18/3, annex.

16. At its 2nd meeting, on 13 December 2013, the Commission adopted a revised draft resolution entitled "Budget for the biennium 2014-2015 for the United Nations Crime Prevention and Criminal Justice Fund", as orally amended. (For the text, see chap. I, sect. B, resolution 22/9.)

Chapter III

Provisional agenda for the twenty-third session of the Commission

17. At its 2nd meeting, on 13 December 2013, the Commission considered agenda item 9, entitled "Provisional agenda for the twenty-third session of the Commission". The Chair introduced the item and brought to the attention of the Commission matters relating to the organization of work for its twenty-third session.

A. Deliberations

1. Duration of the twenty-third session and other arrangements

18. The Chair recalled that the extended Bureau, at its meeting on 4 October, had recommended Monday, 12 May to Friday, 16 May 2014, as dates for the twenty-third session of the Commission, with pre-session informal consultations to be held on Friday, 9 May 2014. At its meeting on 9 December 2013, the extended Bureau had recommended 4 and 5 December 2014 as the dates for the reconvened twenty-third session of the Commission.

19. It was brought to the attention of the Commission that, in accordance with its decisions 21/1 and 22/2, the firm deadline for the submission of draft resolutions would be one month prior to the commencement of the session. Draft resolutions for the twenty-third session would thus have to be submitted by Monday, 14 April 2014, at noon.

2. Thematic discussion

20. As recommended by the Commission and approved by the Economic and Social Council in its decision 2010/243, the prominent theme for the twenty-third session of the Commission would be "International cooperation in criminal matters".

21. During the reconvened twenty-second session, the Commission endorsed the suggested approach to the organization of the thematic discussion at the twenty-third session, upon the recommendation of the extended Bureau, and the list of topics, as orally amended.

22. It was recalled that the thematic debate would take place during a morning and an afternoon meeting. All topics would be discussed at both sessions, with the debate during the morning focusing on taking stock of lessons learned and challenges faced, and the debate during the afternoon focusing on the way forward and further action to address challenges faced, bearing in mind paragraph 21 of the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World.

23. The list of topics for the thematic debate, as orally amended, are as follows:

(a) Specific modalities of international cooperation in criminal matters:

(i) Extradition and mutual legal assistance;

(ii) International cooperation for the purposes of confiscation;

(iii) Use of other forms of international cooperation in criminal matters;

(b) How to manage international cooperation in multiple legal proceedings where the same individual is involved;

(c) Implementing international instruments containing provisions on international cooperation in criminal matters;

(d) Learning from experiences at the regional level;

(e) International cooperation in combating new and emerging forms of crime;

(f) Provision of technical assistance;

(g) Addressing the gaps — the way forward.

24. It was recalled that, pursuant to Commission decision 18/1, the regional groups were to nominate one panellist for the morning thematic discussion and one for the afternoon thematic discussion. The regional groups were invited to submit their nominations for panellists to the Secretariat two months in advance of the twenty-third session of the Commission, at the latest by 12 March 2014.

3. Workshop of the United Nations crime prevention and criminal justice programme network

25. The Commission was informed that the extended Bureau, at its meeting on 9 December 2013, had recommended that the Commission accept a proposal from the United Nations crime prevention and criminal justice programme network to organize, as it had done in previous years, a workshop on a topic related to technical assistance of relevance to the work of the Commission, to be chaired by a member of the Bureau, prior to the consideration of draft resolutions by the Committee of the Whole.

4. Working methods of the Commission

26. It was recalled that the Commission, when deciding on the provisional agenda for the twenty-third session, had added under item 3, entitled "Strategic management, budgetary and administrative questions", a sub-item (c) entitled "Working methods of the Commission". In its decision 22/2, the Commission had requested the Secretariat to seek the views of Member States on the report of the Secretariat entitled "Documentation prepared for the Commission on Crime Prevention and Criminal Justice" (E/CN.15/2013/13) and to report on the views received at its next session. A conference room paper (E/CN.15/2013/CRP.12) was made available at the reconvened session to facilitate preparations for the consideration of the sub-item during the twenty-third session of the Commission.

B. Action taken by the Commission

27. At its 2nd meeting, on 13 December 2013, the Commission endorsed the dates, deadlines and arrangements for its twenty-third session referred to in paragraphs 18 and 19 above.

28. At the same meeting, the Commission approved the topics, as amended, for the thematic discussion at its twenty-third session, as reflected in paragraph 23 above, and endorsed the proposal on the workshop of the United Nations crime prevention and criminal justice programme network, as described in paragraph 25 above.

Chapter IV

Other business

Deliberations

1. Preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice

29. The status of preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, to be held in Doha from 12 to 19 April 2015, with pre-Congress consultations to be held on 11 April 2015, was brought to the attention of the Commission.

30. It was recalled that four regional preparatory meetings would be held. The Asia and Pacific Regional Preparatory Meeting was to be held in Bangkok from 22 to 24 January 2014; the Western Asian Regional Preparatory Meeting in Doha from 3 to 5 February 2014; the Latin American and Caribbean Regional Preparatory Meeting in San José from 19 to 21 February 2014; and the African Regional Preparatory Meeting in Addis Ababa from 9 to 11 April 2014.

31. The Chair stressed the importance of the regional preparatory meetings, emphasizing that they were the primary entry point for regional perspectives and contributions to help shape the agenda of the Congress and recalled that the General Assembly, in its resolution 67/184, had urged participants in those meetings to examine the substantive items on the agenda and the topics of the workshops of the Thirteenth Congress and to make action-oriented recommendations to serve as a basis for the draft recommendations and conclusions for consideration by the Congress.

2. Strengthening the Economic and Social Council

32. The Chair brought to the attention of the Commission that the General Assembly had adopted resolution 68/1 on the review of the implementation of its resolution 61/16 on the strengthening of the Economic and Social Council. The secretariat of the Council had made available some advance information on how the implementation of that resolution might have an impact on the work of the functional commissions, including the Commission on Crime Prevention and Criminal Justice. A conference room paper was made available on the matter (E/CN.7/2013/CRP.7-E/CN.15/2013/CRP.13).

Chapter V

Adoption of the report of the Commission on its reconvened twenty-second session

33. At its 2nd meeting, on 13 December 2013, the Commission adopted the parts of its report on the organization of the session and administrative matters and on item 3 of the agenda (E/CN.15/2013/L.1/Add.7 and 8). The Commission also adopted a draft decision, introduced by the Chair, on the report of the Commission on its reconvened twenty-second session, for adoption by the Economic and Social Council. (For the text, see chap. I, sect. A.) The Commission also decided to entrust the finalization of the report to the Chair of the Commission, with the assistance of the Rapporteur.

Chapter VI

Organization of the session and administrative matters

A. Opening and duration of the session

34. The Commission on Crime Prevention and Criminal Justice held its reconvened twenty-second session in Vienna on 12 and 13 December 2013.

35. The Economic and Social Council, in its decision 2011/259, entitled "Joint meetings of the reconvened sessions of the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice", decided that, starting in 2011, the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice would hold joint meetings during their reconvened sessions for the sole purpose of considering agenda items included in the operational segment of the agendas of both Commissions, with a view to providing integrated policy directives to UNODC on administrative, budgetary and strategic management issues. The Council also decided that the practice of holding back-to-back reconvened sessions of the Commissions would be continued to enable each Commission to consider, in separate meetings, agenda items included in the normative segment of its agenda.

36. In accordance with that decision, two meetings of the Commission on Crime Prevention and Criminal Justice were held jointly with the Commission on Narcotic Drugs on the first day of the reconvened session, on 12 December, in order to consider item 3 of the agendas of both Commissions.

37. At the 1st meeting, the Chairs of the Commissions made opening statements. Statements were also made by the representative of the Group of 77 and China, and by the Director of the Division for Operations of UNODC (on behalf of the Executive Director of UNODC).

B. Attendance

38. The reconvened twenty-second session was attended by representatives of 31 States members of the Commission (9 were not represented). Observers for other States Members of the United Nations, representatives of entities of the United Nations system and observers for intergovernmental and non-governmental organizations also attended. A list of participants is contained in document E/CN.15/2013/INF/3.

C. Documentation

39. The list of documents before the Commission at its reconvened twenty-second session was distributed at the reconvened session as a conference room paper (E/CN.15/2013/CRP.11/Add.1).

D. Closure of the reconvened twenty-second session

40. At the 2nd meeting, on 13 December, a closing statement was made by the Chair of the Commission.